

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**DR. ROBERT J. WALKER,**

**Plaintiff,**

**V.**

**H. COUNCILL TRENHOLM STATE  
TECHNICAL COLLEGE,  
ANTHONY MOLINA, individually and  
in his official capacity as President, H.  
Councill Trenholm State Technical  
College, ALABAMA DEPARTMENT  
OF POSTSECONDARY EDUCATION,  
and ROY W. JOHNSON, individually  
and in his official capacity as Chancellor  
of the Alabama Department of  
Postsecondary Education,**

## Defendants.

**PLAINTIFF’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO  
FILE RESPONSE TO DEFENDANTS’ MOTION TO DISMISS AND  
ALTERNATIVE MOTION FOR MORE DEFINITE STATEMENT**

Comes now Plaintiff Dr. Robert J. Walker, by and through his counsel of record, and moves this Honorable Court for an extension of two weeks for filing his response to Defendants' Motion to Dismiss and Alternative Motion for More Definite Statement. In support thereof, Plaintiff shows the following:

1. On March 13, 2006, Defendants filed their Motion to Dismiss and Alternative Motion for More Definite Statement setting forth several grounds to

support the same.

2. Pursuant to this Court's March 14, 2006, Order, Plaintiff's response to said Motion is currently due on March 28, 2006.

3. Since Defendants filed said Motion, Plaintiff's counsel have been involved in previously scheduled conflicts, which has prevented them from fully responding to said Motion.

4. Plaintiff's counsel contacted Defendants' counsel, Margaret Fleming, and she does not oppose an extension of the date by two weeks for Plaintiff to respond to said Motion.

Wherefore, for the above reasons, Plaintiff respectfully requests that this Court grant his Motion and that he be allowed an extension of two (2) weeks in which to respond to Defendants' Motion to Dismiss and Alternative Motion for More Definite Statement, which would make Plaintiff's Response due on or before April 11, 2006.

Respectfully submitted,

/s/ Candis A. McGowan

Candis A. McGowan (ASB-9358-036C)

**OF COUNSEL:**

**JOHN D. SAXON, P.C.**

2119 3rd Avenue North

Birmingham, Alabama 35203

Telephone: (205) 324-0223

Facsimile: (205) 323-1583

Email: [cmcgowan@saxonattorneys.com](mailto:cmcgowan@saxonattorneys.com)

/s/ Nancy E. Perry

Nancy E. Perry (ASB 3929-R76N)

P.O. Box 4177

Montgomery, Alabama 36103-4177

Telephone: (334) 834-9790

Facsimile: (334) 834-7034

Email: [nancyp@alaedu.org](mailto:nancyp@alaedu.org)

**CERTIFICATE OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of March 2006, I served a copy of the above and foregoing upon the following attorneys by electronically filing the same with the CM/ECF system, which will send electronic notice of same to:

Margaret L. Fleming  
Assistant Attorney General  
Winfield J. Sinclair  
Assistant Attorney General  
Office of the Attorney General  
11 S. Union Street  
Montgomery, AL 36130-0152

/s/ Candis A. McGowan

Of Counsel